

Nissan North America, Inc. Appendix A

Category	Specific Items for Production
Purchase and Procurement	
Transactional purchase data for defendant and non-defendant suppliers	<p>NNA agrees to produce transactional purchase data from its legacy mainframe database for AVR and bearings (“two lead parts”)¹ for both defendant and non-defendant suppliers for the following time periods:²</p> <p>Bearings –</p> <ul style="list-style-type: none"> • 2002 thru Dec. 2013 (NNA) • 2002 thru Mar. 2014 (NML) • 2004 thru July 2014 (N-MEX) <p>AVR –</p> <ul style="list-style-type: none"> • 1995 thru 2012 (NNA) • 2002 thru 2012 (NML) • 2004 thru 2012 (N-MEX) <p>NNA agrees to produce similar transactional purchase data from its legacy mainframe for additional parts, as requested in the future, if necessary.</p> <p>NNA agrees to produce similar data for a reasonable number of non-defendant suppliers.</p> <p>NNA will produce, if available, a data dictionary explaining all available fields.</p>
APR-related data and documents (data or, in the absence of data, documents reflecting communications/negotiations)	<p>NNA’s production of transactional purchase data from the legacy mainframe database will reflect price fluctuations. NNA will determine whether cost reduction code information is captured in the data compiled by Epsilon. If</p>

¹ NNA and the Parties recognize that there will still be a need for cooperation on many of these issues, including any production by NNA on parts other than AVRP and Bearings, and that reasonable disputes may arise as to NNA’s obligations under this agreement. In the event that disputes arise, such as in the event of unexpected difficulty or burden of producing data or collecting specific categories of documents, NNA and any Party may seek relief from the Court through a further motion.

² Parties agree that production of this data does not constitute a waiver of attorney work product protections, and will not subject Epsilon employees to deposition.

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concerning adjustments	<p>it is not, NNA will make cost reduction code data available to the Parties.</p> <p>NNA will produce Calculation Spreadsheets and VA/VEs reasonably available in response to a targeted request to a reasonable number of custodians for each part/part system.</p> <p>The Defendants will provide the names of an inexhaustive list of potentially relevant custodians.</p>
RFQ-related data and documents	<p>NNA's production of transactional purchase data from the legacy mainframe database will reflect winning RFQ data.</p> <p>NNA will produce RFQ related documents, including PowerPoint Presentations, Selection Memos, and Bid Evaluation Spreadsheets reasonably available in response to a targeted request directed to a reasonable number of custodians to be discussed between the Parties and NNA, related to the lead two parts.</p> <p>The Defendants will provide the names of an inexhaustive list of potentially relevant custodians.</p>
Contracts (agreements with auto parts suppliers)	NNA will search for and produce Master Purchase Agreements ("MPAs") for any supplier for all relevant periods.
Costs and Pricing	
VIN level cost data or the least aggregated level of data available for each year, make, model, and trim combination, including costs for any options or accessories	NNA will produce GSM templates from the Global Sales Monitor ("GSM") database for the Altima, Rogue, Sentra, Frontier, Maxima, Pathfinder, and Quest for the model year scope ordered by the Court.
Data, or documents in the absence of data, sufficient to track each part after it was installed into a vehicle, including model year, VIN, part number	N/A
Documents from central files and from a small number of custodian's files related to pricing, including back-up materials for internal determinations, internal	NNA will search for and produce Bills of Material, Cost Value Matrices, In-House Cost Sheets, Cost Roll Up Sheets, and Life Cycle Event Plans for all vehicles for which these documents are centrally stored, for the model

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evaluations, studies, manuals and instructions	year scope ordered by the Court
Sales	
Data, or documents in the absence of data, sufficient to show the following information for each model (and model year) for each new vehicle sold by the OEM: start of production date, year when sales began, year when sales ended, schedule of base model prices, schedule of MSRP (MSRP for all standard models offered, including base and other standard trim packages), and amounts paid by dealers to the OEMs, including but not limited to, invoice price, dealer invoice price, or factory invoice price	<p>NNA will produce downstream transactional data from 2009-present for three models and three model years for each model between 2009 and 2013 to be chosen by the Parties.</p> <p>NNA will search for and produce exemplar centrally stored Monthly Price Reports, Price Sheets, Internal Value Tables, and Pricing Proposals for the model year scope ordered by the Court.</p> <p>NNA will produce basic policy documents confirming its policies for setting MSRP, dealer invoice prices and dealer net prices.</p>
Sales data reflecting sales to auto dealers and end-purchasers (including off-invoice payments, incentives, rebates, etc.). If data reflecting off-invoice payments, incentives, rebates, etc. are not available, we request a schedule of off-invoice payments, incentives, rebates, etc. by model that were offered to dealers and end-purchasers	The Parties and NNA agree to hold this request in abeyance until its relevance is determined by Judge Battani.
Selection of letters to dealerships announcing invoice and MSRP prices for new models	NNA shall provide a short declaration in lieu of producing pricing letters, with language to be agreed upon between NNA and Automobile Dealership Plaintiffs.
Other	
For all categories requested above, we seek all data and documents that are within your possession, custody, or control, regardless of	N/A

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whether that information came from your own files or the files of a foreign entity or other entity within your corporate family, however we limit the requests to data or documents that pertain only to vehicles sold in the United States regardless of where they were manufactured	
Request 31	Granted in part and denied in part on December 9, 2016.